

**UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA**

10 PHILLIP J. LYONS,)
11 Petitioner,) 2:10-cv-01342-RLH-LRL
12 vs.) **ORDER**
13 BRIAN WILLIAMS, *et al.*,)
14 Respondents.) /

16 This action is a *pro se* petition for a writ of habeas corpus filed pursuant to 28 U.S.C.
17 § 2254, by a Nevada state prisoner.

18 By order filed August 11, 2010, the Court denied petitioner's application to proceed
19 *in forma pauperis*, and directed him to pay the \$5.00 filing fee for this action, within 30 days.
20 (Docket #2). Petitioner was advised that this action would be dismissed unless he complied with the
21 Court's order. (*Id.*). The order of August 11, 2010, was apparently delivered to petitioner; it was not
22 returned undelivered. Petitioner has not responded to the order. More than the allotted time has
23 elapsed and petitioner has not complied with the Court's order. Therefore, petitioner's action shall
24 be dismissed without prejudice.

25 **IT IS THEREFORE ORDERED** that the Clerk shall **FILE** and docket the petition
26 (received August 9, 2010).

1 **IT IS FURTHER ORDERED** that this action is **DISMISSED WITHOUT**
2 **PREJUDICE** for petitioner's failure to obey this Court's order of August 11, 2010. The Clerk shall
3 **ENTER JUDGMENT** accordingly.

DATED this 28TH day of October, 2010.

ROGER L. HUNT
Chief United States District Judge